

Resolution No.: 17-618
Introduced: November 13, 2012
Adopted: December 4, 2012

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY13-18 Capital Improvements Program and Supplemental Appropriation #11-S13-CMCG-4 to the FY13 Capital Budget Montgomery County Government Department of Environmental Protection Misc. Stream Valley Improvements (No. 807359), \$1,086,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive, who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.
3. The County Executive recommends the following capital project appropriation increases:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Misc. Stream Valley Improvements	807359	Construction	\$1,086,000	State Aid
TOTAL			\$1,086,000	State Aid

4. This supplemental appropriation and amendment to the FY 13-18 CIP is needed in order to fully appropriate a grant from the Maryland Department of Natural Resources' Chesapeake & Atlantic Coastal Bays Trust Fund. State Aid in the amount of \$1,586,000 will be allocated to the County's stormwater management CIP project noted above in an effort to meet the provisions of the County's Municipal Separate Storm Sewer System (MS4) permit. Of the total, \$500,000 has been appropriated in the FY13-18 CIP budget, leaving the remaining \$1,086,000 to be appropriated.
5. The County Executive recommends amendments to the FY13-18 Capital Improvements Program and supplemental appropriations in the amount of \$1,086,000 to the Misc. Stream Valley Improvements (#807359) project, and specifies that the source of funds will be State Aid.
6. Notice of public hearing was given and a public hearing was held.

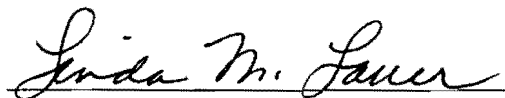
Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY13-18 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and supplemental appropriation is approved as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Misc. Stream Valley Improvements	807359	Construction	\$1,086,000	State Aid
TOTAL			\$1,086,000	State Aid

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council

Misc Stream Valley Improvements -- No. 807359

Category
Subcategory
Administering Agency
Planning Area

Conservation of Natural Resources
Stormwater Management
Environmental Protection
Countywide

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

January 10, 2012
No
None.
On-going

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est. FY12	Total 5 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	6,821	497	1,029	5,295	1,025	1,025	1,025	740	740	740	0
Land	42	2	40	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	26,310	0	0	0	0	0
Construction	14,260	293	3,392	10,575	2,045	2,045	2,045	1,480	1,480	1,480	0
Other	0	0	0	0	0	36,560	0	0	0	0	0
Total	21,123	792	4,461	15,870	3,070	3,070	3,070	2,220	2,220	2,220	*

FUNDING SCHEDULE (\$000)

G.O. Bonds	288	288	0	0	0	0	0	0	0	0	0
State Aid	7,768	0	1,768	6,000	1,000	1,000	1,000	1,000	1,000	1,000	0
Stormwater Management Waiver Fees	233	0	233	0	0	0	0	0	0	0	0
Water Quality Protection Bonds	12,150	0	2,280	9,870	2,070	2,070	2,070	1,220	1,220	1,220	0
Water Quality Protection Charge	684	504	180	0	0	0	0	0	0	0	0
Total	21,123	792	4,461	15,870	3,070	3,070	3,070	2,220	2,220	2,220	0

OPERATING BUDGET IMPACT (\$000)

Maintenance				350	0	5	25	60	105	155
Net Impact				350	0	5	25	60	105	155

DESCRIPTION

This project provides for design and construction of habitat restoration or stabilization measures for stream reaches having severe channel erosion, sedimentation, and habitat degradation. Developed areas constructed without modern stormwater controls contribute uncontrolled runoff which results in severely eroded streambanks, excessive sediment, tree loss, and degraded habitat for fish and aquatic life. Stormdrain outfalls damaged from severe erosion are identified and assessed in the project areas. Where possible, the outfalls are repaired as part of stream restoration projects and are funded from the Outfall Repairs project (No. 509948). When feasible, outfall discharges are redirected to create small constructed wetlands which provide new habitat and mitigate discharge impacts. Impacts to the stream also adversely affect sanitary sewer crossings by exposing sewer lines and manholes. These exposed and damaged sewer lines can be fish barriers and leak raw sewage into streams or allow infiltration of stream baseflow into the sewer system, potentially causing substantial increases in wastewater treatment costs.

COST CHANGE

Project cost change is due to scope changes to accommodate site conditions and higher project costs.

JUSTIFICATION

The project supports the requirements of the MS4 permit and addresses the goals of the Chesapeake Bay Tributary Strategy Initiatives, Anacostia Watershed Restoration Agreement, and the County's adopted water quality goals (Chapter 19, Article IV). The project will stabilize and improve local stream habitat conditions where streams have been damaged by inadequately controlled stormwater runoff. Corrective measures constructed or coordinated under this project include stream bank stabilization, channel modifications, habitat restoration, storm drain outfall or sanitary sewer infrastructure repairs to improve fish and other biological resources, while reducing sediment and nutrient loadings caused by excessive streambank erosion. The Facility Planning: SM project (No. 809319) includes funds for watershed studies and identifies and prioritizes stream reaches in need of restoration and protection.

OTHER

The Department of Environmental Protection identifies damaged sewer lines as part of this project, and the Washington Suburban Sanitary Commission makes sewer repairs during project construction. Projects planned for design and construction include Donnybrook Tributary, Hollywood Branch I, Breewood, Bedfordshire and Fallsreach, Muddy Branch I, Great Seneca (GSGN 205), Stonybrook Tributary, Snakeden Branch II and Whetstone Run.

FISCAL NOTE *supplemental*

The partial State Aid appropriation is based on a letter of commitment the County received from the State of Maryland. While the State has indicated a desire to increase funding for stormwater management projects, this will require state legislative action. Until this legislation is enacted, only committed state funding has been appropriated.

OTHER DISCLOSURES

- The Executive asserts that this project conforms to the requirements of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.
- * Expenditures will continue indefinitely.

APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY73	(\$000)
First Cost Estimate	FY13	21,123
Current Scope		
Last FY's Cost Estimate		10,833
Appropriation Request	FY13	2,570
Appropriation Request Est.	FY14	2,070
Supplemental Appropriation Request		1,086
Transfer		0
Cumulative Appropriation		5,253
Expenditures / Encumbrances		3,164
Unencumbered Balance		2,089
Partial Closeout Thru	FY10	13,706
New Partial Closeout	FY11	0
Total Partial Closeout		13,706

COORDINATION

Department of Transportation
Maryland-National Capital Park and Planning Commission
Washington Suburban Sanitary Commission
Department of Permitting Services
Maryland Department of the Environment

Maryland Department of Natural Resources

MAP

